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HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
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PATENT APPLICATION

ATTORNEY DOCKET NO. 200208445-1

Inventor(s): Andrew Harvey BARR, et al.

Application No.: 10/681,721

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Examiner: Cao, C.

Group Art Unit: 2115

Title: A RACK EQUIPMENT APPLICATION PERFORMANCE MODIFICATION SYSTEM AND METHOD

Commissioner For Patents
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TERMINAL DISCLAIMER RESPONSIVE TO A DOUBLE PATENTING REJECTION

Petitioner, Hewlett-Packard Development Company, L.P. is the owner of 100 percent interest in the instant application. Petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S. C. 154 to 156 and 173 as shortened by any terminal disclaimer of prior Patent No. 7,039,539 to Hewlett-Packard Development Company, L.P. which issued on 04/12/2006 and is commonly owned by Petitioner. Petitioner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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Andrew Harvey BARR, et al.

By

David A. Plettner

Attorney/Agent for Applicant(s)

Reg No.: 36,241

Date: June 13, 2006

Telephone: (408) 447-3013

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